

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE FOREIGN EXCHANGE BENCHMARK :	:	13 Civ. 7789 (LGS)
RATES ANTITRUST LITIGATION :	:	
	:	<u>ORDER</u>
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LORNA G. SCHOFIELD, District Judge:

WHEREAS, on October 29, 2020, Plaintiffs filed a pre-motion letter in anticipation of a motion for summary judgment. Dkt. No. 1518.

WHEREAS, on October 30, 2020, Plaintiffs filed a letter indicating that Plaintiffs' pre-motion letter at Docket No. 1518 contains information Defendants have designated as either "Confidential" or "Highly Confidential" under the terms of the Stipulation and Order of Confidentiality at Docket No. 555, and that the pre-motion letter has been placed under temporary seal. Dkt. No. 1520.

WHEREAS, on October 30, 2020, the Court issued an Order directing Plaintiffs to file a letter motion to file a redacted version of the pre-motion letter at Docket No. 1518, pursuant to Individual Rule I.C.3. Dkt. No. 1524.

WHEREAS, Plaintiffs filed a letter motion to redact portions of the pre-motion letter at Docket No. 1518. Dkt. Nos. 1522, 1523 and 1525.


WHEREAS, Defendants filed a letter in support of Plaintiffs' letter motion to redact portions of the pre-motion letter at Docket No. 1518. Dkt. No. 1532. It is hereby

ORDERED that, Plaintiffs' motion to seal is **GRANTED**. The unredacted versions of the pre-motion letter filed at Docket Nos. 1518 and 1525 will remain sealed, and only the parties and individuals identified in the attached Appendix A will have access. Although "[t]he common law right of public access to judicial documents is firmly rooted in our nation's history," this right is

not absolute, and courts “must balance competing considerations against” the presumption of access. *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119–20 (2d Cir. 2006) (internal quotation marks omitted); *see also Nixon v. Warner Commc’ns., Inc.*, 435 U.S. 589, 599 (1978) (“[T]he decision as to access is one best left to the sound discretion of the trial court, a discretion to be exercised in light of the relevant facts and circumstances of the particular case.”). Filing the above-referenced document in redacted form is necessary to prevent the unauthorized dissemination of confidential information related to non-parties.

The Clerk of Court is respectfully directed to close the motions at Docket Nos. 1520, 1522, 1523 and 1525.

Dated: November 6, 2020
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Appendix A

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